

2 SSB 6464 - S AMD 589
3 By Senator Jacobsen

4 ADOPTED 02/18/02

5 Strike everything after the enacting clause and insert the
6 following:

7 NEW SECTION. **Sec. 1.** The definitions in this section apply
8 throughout this chapter unless the context clearly requires otherwise.

9 (1) "Authority" means a city transportation authority created
10 pursuant to this act.

11 (2) "Authority area" means the territory within a city as
12 designated in the ordinance creating the authority.

13 (3) "Bonds" means bonds, notes, or other evidences of indebtedness.

14 (4) "Public monorail transportation function" means the
15 transportation of passengers and their incidental baggage by means of
16 public monorail transportation facilities as authorized in this
17 chapter.

18 (5) "Public monorail transportation facilities" means a
19 transportation system that utilizes train cars running on a guideway,
20 together with the necessary passenger stations, terminals, parking
21 facilities, related facilities or other properties, and facilities
22 necessary and appropriate for passenger and vehicular access to and
23 from people-moving systems, not including fixed guideway light rail
24 systems.

25 (6) "Qualified elector" means any person registered to vote within
26 the city boundaries.

27 NEW SECTION. **Sec. 2.** (1) A city transportation authority to
28 perform a public monorail transportation function may be created in
29 every city with a population greater than three hundred thousand to
30 perform a public monorail transportation function. The authority shall
31 embrace all the territory in the authority area. A city transportation
32 authority is a municipal corporation, an independent taxing "authority"
33 within the meaning of Article 7, section 1 of the state Constitution,
34 and a "taxing district" within the meaning of Article 7, section 2 of
35 the state Constitution.

1 (2) Any city transportation authority and proposed taxes
2 established pursuant to this chapter, either by ordinance or petition
3 as provided in this chapter, must be approved by a majority vote of the
4 electors residing within the proposed authority area voting at a
5 regular or special election.

6 NEW SECTION. **Sec. 3.** (1) A city that undertakes to propose
7 creation of an authority must propose the authority by ordinance of the
8 city legislative body. The ordinance must:

9 (a) Propose the authority area and the size and method of selection
10 of the governing body of the authority, which governing body may be
11 appointed or elected, provided that officers or employees of any single
12 city government body may not compose a majority of the members of the
13 authority's governing body;

14 (b) Propose whether all or a specified portion of the public
15 monorail transportation function will be exercised by the authority;

16 (c) Propose an initial array of taxes to be voted upon by the
17 electors within the proposed authority area; and

18 (d) Provide for an interim governing body of the authority which
19 will govern the authority upon voter approval of formation of the
20 authority, until a permanent governing body is selected, but in no
21 event longer than fourteen months.

22 (2) An authority may also be proposed to be created by a petition
23 setting forth the matters described in subsection (1) of this section,
24 and signed by one percent of the qualified electors of the proposed
25 authority area.

26 (3) Upon approval by the qualified electors of the formation of the
27 city transportation authority and any proposed taxes, either by
28 ordinance or by petition as provided in this chapter, the governing
29 body of an authority, or interim governing body, as applicable, will
30 adopt bylaws determining, among other things, the authority's officers
31 and the method of their selection, and other matters the governing body
32 deems appropriate.

33 NEW SECTION. **Sec. 4.** The authority is subject to all standard
34 requirements of a governmental entity pursuant to RCW 35.21.759.

35 NEW SECTION. **Sec. 5.** Every authority has the following powers:

1 (1) To acquire by purchase, condemnation, gift, or grant and to
2 lease, construct, add to, improve, replace, repair, maintain, operate,
3 and regulate the use of public monorail transportation facilities,
4 including passenger terminal and parking facilities and properties, and
5 other facilities and properties as may be necessary for passenger and
6 vehicular access to and from public monorail transportation facilities,
7 together with all lands, rights of way, and property within or outside
8 the authority area, and together with equipment and accessories
9 necessary or appropriate for these facilities, except that property,
10 including but not limited to other types of public transportation
11 facilities, that is owned by any city, county, county transportation
12 authority, public transportation benefit area, metropolitan municipal
13 corporation, or regional transit authority may be acquired or used by
14 an authority only with the consent of the public entity owning the
15 property. The entities are authorized to convey or lease property to
16 an authority or to contract for their joint use on terms fixed by
17 agreement between the entity and the authority;

18 (2) To fix rates, tolls, fares, and charges for the use of
19 facilities and to establish various routes and classes of service.
20 Rates, tolls, fares, or charges may be adjusted or eliminated for any
21 distinguishable class of users including, but not limited to, senior
22 citizens and handicapped persons;

23 (3) To contract with the United States or any of its agencies, any
24 state or any of its agencies, any metropolitan municipal corporation,
25 and other country, city, other political subdivision or governmental
26 instrumentality, or governmental agency, or any private person, firm,
27 or corporation for the purpose of receiving any gifts or grants or
28 securing loans or advances for preliminary planning and feasibility
29 studies, or for the design, construction, operation, or maintenance of
30 public monorail transportation facilities as follows:

31 (a) Notwithstanding the provisions of any law to the contrary, and
32 in addition to any other authority provided by law, the governing body
33 of a city transportation authority may contract with one or more
34 vendors for the design, construction, operation, or maintenance, or
35 other service related to the development of a monorail public
36 transportation system including, but not limited to, monorail trains,
37 operating systems and control equipment, guideways, and pylons,
38 together with the necessary passenger stations, terminals, parking

1 facilities, and other related facilities necessary and appropriate for
2 passenger and vehicular access to and from the monorail train.

3 (b) If the governing body of the city transportation authority
4 decides to proceed with the consideration of qualifications or
5 proposals for services from qualified vendors, the authority must
6 publish notice of its requirements and request submission of
7 qualifications statements or proposals. The notice must be published
8 in the official newspaper of the city creating the authority at least
9 once a week for two weeks, not less than sixty days before the final
10 date for the submission of qualifications statements or proposals. The
11 notice must state in summary form: (i) The general scope and nature of
12 the design, construction, operation, maintenance, or other services
13 being sought related to the development of the proposed monorail, tram,
14 or trolley public transportation system; (ii) the name and address of
15 a representative of the city transportation authority who can provide
16 further details; (iii) the final date for the submission of
17 qualifications statements or proposals; (iv) an estimated schedule for
18 the consideration of qualifications statements or proposals, the
19 selection of vendors, and the negotiation of a contract or contracts
20 for services; (v) the location of which a copy of any requests for
21 qualifications statements or requests for proposals will be made
22 available; and (vi) the criteria established by the governing body of
23 the authority to select a vendor or vendors, which may include, but is
24 not limited to, the vendor's prior experience, including design,
25 construction, operation, or maintenance of other similar public
26 transportation facilities, respondent's management capabilities,
27 proposed project schedule, availability and financial resources, costs
28 of the services to be provided, nature of facility design proposed by
29 the vendors, system reliability, performance standards required for the
30 facilities, compatibility with existing public transportation
31 facilities operated by the authority or any other public body or other
32 providers of similar services to the public, project performance
33 guarantees, penalties, and other enforcement provisions, environmental
34 protection measures to be used by the vendor, consistency with the
35 applicable regional transportation plans, and the proposed allocation
36 of project risks.

37 (c) If the governing body of the city transportation authority
38 decides to proceed with the consideration of qualifications statements
39 or proposals submitted by vendors, it may designate a representative to

1 evaluate the vendors who submitted qualifications statements or
2 proposals and conduct discussions regarding qualifications or proposals
3 with one or more vendors. The governing body or its representative may
4 request submission of qualifications statements and may later request
5 more detailed proposals from one or more vendors who have submitted
6 qualifications statements, or may request detailed proposals without
7 having first received and evaluated qualifications statements. The
8 governing body or its representative will evaluate the qualifications
9 or proposals, as applicable. If two or more vendors submit
10 qualifications or proposals that meet the criteria established by the
11 governing body of the authority, discussions and interviews must be
12 held with at least two vendors. Any revisions to a request for
13 qualifications or request for proposals must be made available to all
14 vendors then under consideration by the governing body of the authority
15 and must be made available to any other person who has requested
16 receipt of that information.

17 (d) Based on the criteria established by the governing body of the
18 authority, the representative will recommend to the governing body a
19 vendor or vendors that are initially determined to be the best
20 qualified to provide one or more of the design, construction, operation
21 or maintenance, or other service related to the development of the
22 proposed monorail public transportation system.

23 (e) The governing body of the authority or its representative may
24 attempt to negotiate a contract with the vendor or vendors selected for
25 one or more of the design, construction, operation or maintenance, or
26 other service related to the development of the proposed monorail
27 public transportation system on terms that the governing body of the
28 authority determines to be fair and reasonable and in the best interest
29 of the authority. If the governing body, or its representative, is
30 unable to negotiate a contract with any one or more of the vendors
31 first selected on terms that it determines to be fair and reasonable
32 and in the best interest of the authority, negotiations with any one or
33 more of the vendors must be terminated or suspended and another
34 qualified vendor or vendors may be selected in accordance with the
35 procedures set forth in this section. If the governing body decides to
36 continue the process of selection, negotiations will continue with a
37 qualified vendor or vendors in accordance with this section at the sole
38 discretion of the governing body of the authority until an agreement is
39 reached with one or more qualified vendors, or the process is

1 terminated by the governing body. The process may be repeated until an
2 agreement is reached.

3 (f) Prior to entering into a contract with a vendor, the governing
4 body of the authority must make written findings, after holding a
5 public hearing on the proposal, that it is in the public interest to
6 enter into the contract, that the contract is financially sound, and
7 that it is advantageous for the governing body of the authority to use
8 this method for awarding contracts for one or more of the design,
9 construction, or operation or maintenance of the proposed monorail
10 public transportation system as compared to all other methods of
11 awarding such contracts.

12 (g) Each contract must include a project performance bond or bonds
13 or other security by the vendor.

14 (h) The provisions of chapters 39.12 and 39.19 RCW apply to a
15 contract entered into under this section as if the public
16 transportation systems and facilities were owned by a public body.

17 (i) The vendor selection process permitted by this section is
18 supplemental to and is not construed as a repeal of or limitation on
19 any other authority granted by law.

20 (j) Contracts for the construction of facilities, other than
21 contracts for facilities to be provided by the selected vendor, with an
22 estimated cost greater than two hundred thousand dollars must be
23 awarded after a competitive bid process consistent with chapter 39.04
24 RCW or awarded through an alternative public works contracting
25 procedure consistent with chapter 39.10 RCW;

26 (4) To contract with the United States or any of its agencies, any
27 state or any of its agencies, any metropolitan municipal corporation,
28 any other county, city, other political subdivision or governmental
29 instrumentality, any governmental agency, or any private person, firm,
30 or corporation for the use by either contracting party of all or any
31 part of the facilities, structures, lands, interests in lands, air
32 rights over lands, and rights of way of all kinds which are owned,
33 leased, or held by the other party and for the purpose of planning,
34 designing, constructing, operating any public transportation facility,
35 or performing any service related to transportation which the authority
36 is authorized to operate or perform, on terms as may be agreed upon by
37 the contracting parties;

38 (5) To acquire any existing public transportation facility by
39 conveyance, sale, or lease. In any acquisition from a county, city, or

1 other political subdivision of the state, the authority will receive
2 credit from the county or city or other political subdivision for any
3 federal assistance and state matching assistance used by the county or
4 city or other political subdivision in acquiring any portion of the
5 public transportation facility. Upon acquisition, the authority must
6 assume and observe all existing labor contracts relating to the public
7 transportation facility and, to the extent necessary for operation of
8 the public transportation facility, all of the employees of the public
9 transportation facility whose duties are necessary to efficiently
10 operate the public transportation facility must be appointed to
11 comparable positions to those which they held at the time of the
12 transfer, and no employee or retired or pensioned employee of the
13 public transportation facility will be placed in any worse position
14 with respect to pension seniority, wages, sick leave, vacation, or
15 other benefits than he or she enjoyed as an employee of the public
16 transportation facility prior to the acquisition. Furthermore, the
17 authority must engage in collective bargaining with the duly appointed
18 representatives of any employee labor organization having existing
19 contracts with the acquired facility and may enter into labor contracts
20 with the employee labor organization;

21 (6) To contract for, participate in, and support research,
22 demonstration, testing, and development of public monorail
23 transportation facilities, equipment, and use incentives, and have all
24 powers necessary to comply with any criteria, standards, and
25 regulations which may be adopted under state and federal law, and to
26 take all actions necessary to meet the requirements of those laws. The
27 authority has, in addition to these powers, the authority to prepare,
28 adopt, and carry out a comprehensive public monorail plan and to make
29 other plans and studies and to perform programs as the authority deems
30 necessary to implement and comply with those laws;

31 (7) To establish local improvement districts within the authority
32 area to finance public monorail transportation facilities, to levy
33 special assessments on property specially benefited by those
34 facilities, and to issue local improvement bonds to be repaid by the
35 collection of local improvement assessments. The method of
36 establishment, levying, collection, enforcement, and all other matters
37 relating to the local improvement districts, assessments, collection,
38 and bonds are as provided in the statutes governing local improvement
39 districts of cities and towns. The duties devolving upon the city

1 treasurer in those statutes are imposed on the treasurer of the
2 authority;

3 (8) To exercise all other powers necessary and appropriate to carry
4 out its responsibilities, including without limitation the power to sue
5 and be sued, to own, construct, purchase, lease, add to, and maintain
6 any real and personal property or property rights necessary for the
7 conduct of the affairs of the authority, to enter into contracts, and
8 to employ the persons as the authority deems appropriate. An authority
9 may also sell, lease, convey, or otherwise dispose of any real or
10 personal property no longer necessary for the conduct of the affairs of
11 the authority.

12 NEW SECTION. **Sec. 6.** Each authority will establish necessary and
13 appropriate funds and accounts consistent with the uniform system of
14 accounts developed pursuant to RCW 43.09.210. The authority may
15 designate a treasurer or may contract with any city with territory
16 within the authority area for treasury and other financial functions.
17 The city must be reimbursed for the expenses of treasury services.
18 However, no city whose treasurer serves as treasurer of an authority is
19 liable for the obligations of the authority.

20 NEW SECTION. **Sec. 7.** The authority must adopt a public
21 transportation plan for public transportation facilities to be provided
22 by the authority and the facilities must be provided substantially in
23 accordance with that plan. The plan, and any adopted plan amendments,
24 will be submitted for approval to the legislative authority of the
25 city. Prior to adoption of the plan, the authority will provide a
26 minimum of sixty days during which sufficient public hearings will be
27 held to provide interested persons an opportunity to participate in
28 development of the plan. The plan or any amendment is not effective
29 until approval is granted or until ninety days has elapsed since the
30 plan or amendment has been submitted for approval and the city has
31 neither approved nor disapproved the plan or amendment within those
32 ninety days. The plan as approved by the legislative authority, or
33 after the passage of ninety days, when the vote has neither been
34 approved nor disapproved, shall be put before the qualified electors of
35 the authority area.

36 NEW SECTION. **Sec. 8.** Every authority has the power to:

1 (1) Levy excess levies upon the property included within the
2 authority area, in the manner prescribed by Article VII, section 2 of
3 the state Constitution and by RCW 84.52.052 for operating funds,
4 capital outlay funds, and cumulative reserve funds;

5 (2) Issue general obligation bonds, not to exceed an amount,
6 together with any outstanding nonvoter-approved general obligation
7 indebtedness equal to one and one-half percent of the value of the
8 taxable property within the authority area, as the term "value of the
9 taxable property" is defined in RCW 39.36.015. An authority may
10 additionally issue general obligation bonds, together with outstanding
11 voter-approved and nonvoter-approved general obligation indebtedness,
12 equal to two and one-half percent of the value of the taxable property
13 within the authority area, as the term "value of the taxable property"
14 is defined in RCW 39.36.015, when the bonds are approved by three-
15 fifths of the qualified electors of the authority at a general or
16 special election called for that purpose and may provide for the
17 retirement thereof by levies in excess of dollar rate limitations in
18 accordance with the provisions of RCW 84.52.056. These elections will
19 be held as provided in RCW 39.36.050;

20 (3) Issue revenue bonds payable from any revenues other than taxes
21 levied by the authority, and to pledge those revenues for the repayment
22 of the bonds. Proceeds of revenue bonds may only be expended for the
23 costs of public monorail transportation facilities, for financing
24 costs, and for capitalized interest during construction plus six months
25 thereafter. The bonds and warrants will be issued and sold in
26 accordance with chapter 39.46 RCW.

27 No bonds issued by an authority are obligations of any city,
28 county, or the state of Washington or any political subdivision thereof
29 other than the authority, and the bonds will so state, unless the
30 legislative authority of any city or county or the legislature
31 expressly authorizes particular bonds to be either guaranteed by or
32 obligations of its respective city or county or of the state.

33 NEW SECTION. **Sec. 9.** (1) Every authority has the power to levy
34 and collect a special excise tax not exceeding two and one-half percent
35 on the value of every motor vehicle owned by a resident of the
36 authority area for the privilege of using a motor vehicle. Before
37 utilization of any excise tax money collected under this section for
38 acquisition of right of way or construction of a public monorail

1 transportation facility on a separate right of way, the authority must
2 adopt rules affording the public an opportunity for corridor public
3 hearings and design public hearings, which provide in detail the
4 procedures necessary for public participation in the following
5 instances: (a) Prior to adoption of location and design plans having
6 a substantial social, economic, or environmental effect upon the
7 locality upon which they are to be constructed; or (b) on the public
8 transportation facilities operating on a separate right of way whenever
9 a substantial change is proposed relating to location or design in the
10 adopted plan. In adopting rules the authority must adhere to the
11 provisions of the administrative procedure act.

12 (2) A "corridor public hearing" is a public hearing that: (a) Is
13 held before the authority is committed to a specific route proposal for
14 the public transportation facility, and before a route location is
15 established; (b) is held to afford an opportunity for participation by
16 those interested in the determination of the need for, and the location
17 of, the public transportation facility; and (c) provides a public forum
18 that affords a full opportunity for presenting views on the public
19 transportation facility route location, and the social, economic, and
20 environmental effects on that location and alternate locations.
21 However, the hearing is not deemed to be necessary before adoption of
22 a transportation plan as provided in section 7 of this act or a vote of
23 the qualified electors under subsection (5) of this section.

24 (3) A "design public hearing" is a public hearing that: (a) Is
25 held after the location is established but before the design is
26 adopted; (b) is held to afford an opportunity for participation by
27 those interested in the determination of major design features of the
28 public monorail transportation facility; and (c) provides a public
29 forum to afford a full opportunity for presenting views on the public
30 transportation system design, and the social, economic, and
31 environmental effects of that design and alternate designs, including
32 people-mover technology.

33 (4) An authority imposing a tax under subsection (1) of this
34 section may also impose a sales and use tax, in addition to any tax
35 authorized by RCW 82.14.030, upon retail car rentals within the city
36 that are taxable by the state under chapters 82.08 and 82.12 RCW. The
37 rate of tax must not exceed 1.944 percent of the base of the tax. The
38 base of the tax will be the selling price in the case of a sales tax or
39 the rental value of the vehicle used in the case of a use tax. The

1 revenue collected under this subsection will be distributed in the same
2 manner as sales and use taxes under chapter 82.14 RCW.

3 (5) Before any authority may impose any of the taxes authorized
4 under this section, the authorization for imposition of the taxes must
5 be approved by the qualified electors of the authority area.

6 NEW SECTION. **Sec. 10.** (1) Every authority has the power to fix
7 and impose a fee, not to exceed one hundred dollars per vehicle, for
8 each vehicle that is subject to relicensing tab fees under RCW
9 46.16.0621 and for each vehicle that is subject to RCW 46.16.070 with
10 an unladen weight of six thousand pounds or less, and that is
11 determined by the department of licensing to be registered within the
12 boundaries of the authority area. The department of licensing must
13 provide an exemption from the fee for any vehicle the owner of which
14 demonstrates is not operated within the authority area.

15 (2) The department of licensing will administer and collect the
16 fee. The department will deduct a percentage amount, as provided by
17 contract, not to exceed two percent of the taxes collected, for
18 administration and collection expenses incurred by it. The remaining
19 proceeds will be remitted to the custody of the state treasurer for
20 monthly distribution to the authority.

21 (3) The authority imposing this fee will delay the effective date
22 at least six months from the date the fee is approved by the qualified
23 voters of the authority area to allow the department of licensing to
24 implement administration and collection of the fee.

25 (4) Before any authority may impose any of the fees authorized
26 under this section, the authorization for imposition of the fees must
27 be approved by a majority of the qualified electors of the authority
28 area voting.

29 NEW SECTION. **Sec. 11.** (1) Every authority has the power to impose
30 annual regular property tax levies in an amount equal to one dollar and
31 fifty cents or less per thousand dollars of assessed value of property
32 in the authority area when specifically authorized to do so by a
33 majority of the voters voting on a proposition submitted at a special
34 election or at the regular election of the authority. A proposition
35 authorizing the tax levies will not be submitted by an authority more
36 than twice in any twelve-month period. Ballot propositions must
37 conform with RCW 29.30.111. The number of years during which the

1 regular levy will be imposed may be limited as specified in the ballot
2 proposition or may be unlimited in duration. In the event an authority
3 is levying property taxes, which in combination with property taxes
4 levied by other taxing districts subject to the limitations provided in
5 RCW 84.52.043 and 84.52.050, exceed these limitations, the authority's
6 property tax levy shall be reduced or eliminated consistent with RCW
7 84.52.010.

8 (2) The limitation in RCW 84.55.010 does not apply to the first
9 levy imposed under this section following the approval of the levies by
10 the voters under subsection (1) of this section.

11 NEW SECTION. **Sec. 12.** All taxes and fees levied and collected by
12 an authority must be used solely for the purpose of paying all or any
13 part of the cost of acquiring, designing, constructing, equipping,
14 maintaining, or operating public monorail transportation facilities or
15 contracting for the services thereof, or to pay or secure the payment
16 of all or part of the principal of or interest on any general
17 obligation bonds or revenue bonds issued for authority purposes. Until
18 expended, money accumulated in the funds and accounts of an authority
19 may be invested in the manner authorized by the governing body of the
20 authority, consistent with state law.

21 If any of the revenue from any tax or fee authorized to be levied
22 by an authority has been pledged by the authority to secure the payment
23 of any bonds as herein authorized, then as long as that pledge is in
24 effect the legislature will not withdraw from the authority the
25 authorization to levy and collect the tax or fee.

26 NEW SECTION. **Sec. 13.** The special excise tax imposed under
27 section 9(1) of this act will be collected at the same time and in the
28 same manner as relicensing tab fees under RCW 46.16.0621 and section 10
29 of this act. Every year on January 1st, April 1st, July 1st, and
30 October 1st the department of licensing shall remit special excise
31 taxes collected on behalf of an authority, back to the authority, at no
32 cost to the authority. Valuation of motor vehicles for purposes of the
33 special excise tax imposed under section 9(1) of this act must be
34 consistent with chapter 82.44 RCW.

35 **Sec. 14.** RCW 84.52.010 and 1995 2nd sp.s. c 13 s 4 are each
36 amended to read as follows:

1 Except as is permitted under RCW 84.55.050, all taxes shall be
2 levied or voted in specific amounts.

3 The rate percent of all taxes for state and county purposes, and
4 purposes of taxing districts coextensive with the county, shall be
5 determined, calculated and fixed by the county assessors of the
6 respective counties, within the limitations provided by law, upon the
7 assessed valuation of the property of the county, as shown by the
8 completed tax rolls of the county, and the rate percent of all taxes
9 levied for purposes of taxing districts within any county shall be
10 determined, calculated and fixed by the county assessors of the
11 respective counties, within the limitations provided by law, upon the
12 assessed valuation of the property of the taxing districts
13 respectively.

14 When a county assessor finds that the aggregate rate of tax levy on
15 any property, that is subject to the limitations set forth in RCW
16 84.52.043 or 84.52.050, exceeds the limitations provided in either of
17 these sections, the assessor shall recompute and establish a
18 consolidated levy in the following manner:

19 (1) The full certified rates of tax levy for state, county, county
20 road district, and city or town purposes shall be extended on the tax
21 rolls in amounts not exceeding the limitations established by law;
22 however any state levy shall take precedence over all other levies and
23 shall not be reduced for any purpose other than that required by RCW
24 84.55.010. If, as a result of the levies imposed under RCW 84.52.069,
25 84.34.230, the portion of the levy by a metropolitan park district that
26 was protected under RCW 84.52.120, and 84.52.105, the combined rate of
27 regular property tax levies that are subject to the one percent
28 limitation exceeds one percent of the true and fair value of any
29 property, then these levies shall be reduced as follows: (a) The
30 portion of the levy by a metropolitan park district that is protected
31 under RCW 84.52.120 shall be reduced until the combined rate no longer
32 exceeds one percent of the true and fair value of any property or shall
33 be eliminated; (b) if the combined rate of regular property tax levies
34 that are subject to the one percent limitation still exceeds one
35 percent of the true and fair value of any property, then the levies
36 imposed under RCW 84.34.230, 84.52.105, and any portion of the levy
37 imposed under RCW 84.52.069 that is in excess of thirty cents per
38 thousand dollars of assessed value, shall be reduced on a pro rata
39 basis until the combined rate no longer exceeds one percent of the true

1 and fair value of any property or shall be eliminated; and (c) if the
2 combined rate of regular property tax levies that are subject to the
3 one percent limitation still exceeds one percent of the true and fair
4 value of any property, then the thirty cents per thousand dollars of
5 assessed value of tax levy imposed under RCW 84.52.069 shall be reduced
6 until the combined rate no longer exceeds one percent of the true and
7 fair value of any property or eliminated.

8 (2) The certified rates of tax levy subject to these limitations by
9 all junior taxing districts imposing taxes on such property shall be
10 reduced or eliminated as follows to bring the consolidated levy of
11 taxes on such property within the provisions of these limitations:

12 (a) First, the certified property tax levy rates of those junior
13 taxing districts authorized under RCW 36.68.525, 36.69.145, section 11
14 of this act, and 67.38.130 shall be reduced on a pro rata basis or
15 eliminated;

16 (b) Second, if the consolidated tax levy rate still exceeds these
17 limitations, the certified property tax levy rates of flood control
18 zone districts shall be reduced on a pro rata basis or eliminated;

19 (c) Third, if the consolidated tax levy rate still exceeds these
20 limitations, the certified property tax levy rates of all other junior
21 taxing districts, other than fire protection districts, library
22 districts, the first fifty cent per thousand dollars of assessed
23 valuation levies for metropolitan park districts, and the first fifty
24 cent per thousand dollars of assessed valuation levies for public
25 hospital districts, shall be reduced on a pro rata basis or eliminated;

26 (d) Fourth, if the consolidated tax levy rate still exceeds these
27 limitations, the certified property tax levy rates authorized to fire
28 protection districts under RCW 52.16.140 and 52.16.160 shall be reduced
29 on a pro rata basis or eliminated; and

30 (e) Fifth, if the consolidated tax levy rate still exceeds these
31 limitations, the certified property tax levy rates authorized for fire
32 protection districts under RCW 52.16.130, library districts,
33 metropolitan park districts under their first fifty cent per thousand
34 dollars of assessed valuation levy, and public hospital districts under
35 their first fifty cent per thousand dollars of assessed valuation levy,
36 shall be reduced on a pro rata basis or eliminated.

37 In determining whether the aggregate rate of tax levy on any
38 property, that is subject to the limitations set forth in RCW
39 84.52.050, exceeds the limitations provided in that section, the

1 assessor shall use the hypothetical state levy, as apportioned to the
2 county under RCW 84.48.080, that was computed under RCW 84.48.080
3 without regard to the reduction under RCW 84.55.012.

4 **Sec. 15.** RCW 84.52.052 and 1996 c 230 s 1615 are each amended to
5 read as follows:

6 The limitations imposed by RCW 84.52.050 through 84.52.056, and RCW
7 84.52.043 shall not prevent the levy of additional taxes by any taxing
8 district except school districts in which a larger levy is necessary in
9 order to prevent the impairment of the obligation of contracts. As
10 used in this section, the term "taxing district" means any county,
11 metropolitan park district, park and recreation service area, park and
12 recreation district, water-sewer district, solid waste disposal
13 district, public facilities district, flood control zone district,
14 county rail district, service district, public hospital district, road
15 district, rural county library district, island library district, rural
16 partial-county library district, intercounty rural library district,
17 fire protection district, cemetery district, city, town, transportation
18 benefit district, emergency medical service district with a population
19 density of less than one thousand per square mile, (~~or~~) cultural
20 arts, stadium, and convention district, or city transportation
21 authority.

22 Any such taxing district may levy taxes at a rate in excess of the
23 rate specified in RCW 84.52.050 through 84.52.056 and 84.52.043, or
24 84.55.010 through 84.55.050, when authorized so to do by the voters of
25 such taxing district in the manner set forth in Article VII, section
26 2(a) of the Constitution of this state at a special or general election
27 to be held in the year in which the levy is made.

28 A special election may be called and the time therefor fixed by the
29 county legislative authority, or council, board of commissioners, or
30 other governing body of any such taxing district, by giving notice
31 thereof by publication in the manner provided by law for giving notices
32 of general elections, at which special election the proposition
33 authorizing such excess levy shall be submitted in such form as to
34 enable the voters favoring the proposition to vote "yes" and those
35 opposed thereto to vote "no."

36 NEW SECTION. **Sec. 16.** Sections 1 through 13 of this act
37 constitute a new chapter in Title 36 RCW."

1 **SSB 6464** - S AMD 589
2 By Senator Jacobsen

3
ADOPTED 02/18/02
4 On page 1, line 1 of the title, after "authority;" strike the
5 remainder of the title and insert "amending RCW 84.52.010 and
6 84.52.052; and adding a new chapter to Title 36 RCW."

EFFECT: Clarifies that the authority's purpose is to run monorail.
Creates a definition for qualified elector. Clarifies that city voters
approve the adopted plan. Clarifies that Sound Transit is given the
same treatment regarding property acquisition.

--- END ---